

JAN. 6. 2005 2:52PM

NO. 346 P. 1

RECEIVED
CENTRAL FAX CENTER

JAN 06 2005

Pepper Hamilton LLP
Attorneys at Law

50th Floor
500 Grant Street
Pittsburgh, PA 15219-2502
412.454.5000
Fax 412.281.0717
www.pepperlaw.com

FAX INFORMATION SHEET

Date: January 6, 2005
ID Number: 61029
Identifier: 128346-31801

<u>Recipient's Name</u>	<u>Company</u>	<u>General Number</u>	<u>Fax Number</u>
TC1700	USPTO	703.306.5665	703.872.9310

Sender: James M. Singer
Sender's Direct Line: 412.454.5023
Sender's Email Address: singerj@pepperlaw.com

Total Pages Including Cover:

Comments: Petition Under 37 C.F.R. 1.181 for Reconsideration of Finality of Final Rejection;
Summary of Interview; and Response to Office Action Mailed November 3, 2004

An original or a copy has [] or has not [✓] been sent to you by mail [] or by overnight service [] or by email [].

◆◆ If total pages are not received, or an error occurred during this transmission,
please call the sender at the direct line listed above. ◆◆

◆◆ CONFIDENTIALITY NOTE ◆◆

The documents accompanying this facsimile transmission contain information from the law firm of Pepper Hamilton LLP which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited, and that the documents should be returned to this Firm immediately. In this regard, if you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you.

Operator's Use Only

Start Time: : am [] pm [] End Time: : am [] pm []

Operator:

Coversheet Page 1 of 1

PT: #206183 v1 (4F3B011.DOC)

PAGE 1/23 * RCVD AT 1/6/2005 2:51:26 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/7 * DNIS:8729310 * CSID: * DURATION (mm:ss):05:46

JAN. 6. 2005 2:52PM

RECEIVED
CENTRAL FAX CENTER

NO. 346 P. 2

JAN 06 2005

CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. § 1.181

In re Application of:

Michael H. Zimmerman, et al.

Serial No.: 10/001,573 : Group Art Unit: 1754

Filed: November 2, 2001 : Examiner: Wayne A. Langel

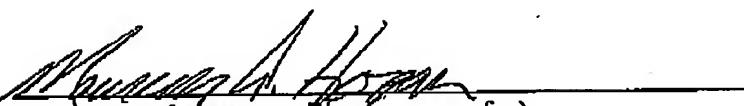
For: LOW OXYGEN CUBIC BORON NITRIDE AND ITS PRODUCTION

I HEREBY CERTIFY THAT THIS PETITION UNDER 37 C.F.R. 1.181 FOR RECONSIDERATION OF FINALITY OF FINAL REJECTION; SUMMARY OF INTERVIEW; AND RESPONSE TO OFFICE ACTION MAILED NOVEMBER 3, 2004 IS BEING SENT VIA FACSIMILE TO NUMBER (703) 872-9311 UNDER 37 C.F.R. § 1.181 ON THE DATE INDICATED AND IS ADDRESSED TO AUTOMATED PATENT ASSIGNMENT DIVISION.

Date of Facsimile: January 6, 2005

Maureen A. Horgan

(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

JAN. 6. 2005 2:52PM

NO. 346 P. 3

RECEIVED
CENTRAL FAX CENTER

Application No. 10/001,573
Paper Dated January 6, 2005
Attorney Docket No. 128346.31801

JAN 06 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Michael H. ZIMMERMAN et al.
Filed : November 2, 2001
Application No. : 10/001,573
Title : Low Oxygen Cubic Boron Nitride and Its Production
Group Art Unit : 1754
Examiner : Wayne A. Langel

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. 1.181 FOR RECONSIDERATION OF
FINALITY OF FINAL REJECTION;
SUMMARY OF INTERVIEW;
AND
RESPONSE TO OFFICE ACTION MAILED NOVEMBER 3, 2004**

This is a Petition under 37 C.F.R. 1.181 to withdraw the finality of a Final Office Action mailed November 3, 2004 in the above-referenced application, along with a response to the Office Action.

37 C.F.R. 1.17(f) lists no fee for petitions under 37 C.F.R. 1.181. Accordingly, Applicants believe that no petition fee is required. However, in the event that a fee is required for this Petition, the USPTO is hereby authorized to debit Deposit Account No. 50-0436.

This response is submitted within three months of the date of the Office Action mailed November 3, 2004. Accordingly, this response is timely filed.

Interview Summary and Remarks in Support of the Petition begin on page 2 of this paper,
Amendments to the Claims begin on page 4 of this paper, and
Remarks in Response to the Office Action begin on page 9 of this paper.